

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

GEORGE WAHL,	:	HONORABLE JOSEPH E. IRENAS
	:	Civ. Action No. 12-2143 (JEI/AMD)
Plaintiff,	:	
	:	<b>ORDER GRANTING IN PART AND</b>
v.	:	<b>DENYING IN PART DEFENDANTS'</b>
	:	<b>MOTION TO DISMISS</b>
	:	<b>(Docket # 4)</b>
CHIEF W. HARRY EARLE, ET AL.,	:	
	:	
Defendants.	:	
_____	:	

KEARNEY AND ASSOCIATES, P.C.  
By: Linda Campbell, Esq.  
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Counsel for Plaintiff

WILLIAM J. FERREN & ASSOCIATES  
By: Timothy J. Kepner, Esq.  
1500 Market Street, Suite 2920  
Philadelphia, Pennsylvania 19102  
Counsel for Defendants

**IRENAS**, Senior District Judge:

This matter having appeared before the Court on Defendants' Motion to Dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (Docket No. 4), the Court having considered the submissions of the parties, for the reasons set forth in an Opinion issued by this Court on even date herewith, which findings of fact and conclusions of law are incorporated herein, and for good cause appearing;

**IT IS** on this 26th day of September, 2012,

**ORDERED THAT**

1. The Motion to Dismiss is hereby **DENIED** as to the state law tort claims.
2. The Motion to Dismiss is hereby **GRANTED** as to the conspiracy claim and the Due Process claims.

s/ Joseph E. Irenas  
**JOSEPH E. IRENAS, S.U.S.D.J.**